

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.24041 OF 2007

Dated 14th November, 2007

Between:

Md.Riyazuddin

...Petitioner

And

The Secretary,
Regional Transport Authority and
Another

...Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.24041 OF 2007

ORDER (Per Hon'ble Sri Bilal Nazki, the Acting Chief Justice):

Heard learned counsel for the parties and with their consent, the writ petition is being disposed of at this stage.

The vehicle of the petitioner has been seized allegedly on the ground that tax has not been paid and it was found without fitness certificate and without driving licence. Show cause notice has already been issued to the petitioner and penalty has also been imposed.

According to the learned Government Pleader for Transport, we understand that the petitioner can file an appeal against the imposition of penalty, but if tax is due he requires to pay the tax. Therefore, we dispose of this writ petition with a direction that the vehicle be released on payment of tax due in full and 25% of the penalty imposed. The payment of part of penalty shall remain subject to outcome of the appeal, if any filed by the petitioner. No order as to costs.

Bilal Nazki, ACJ

Dated 14th November, 2007

Ramesh Ranganathan,J

Note: Issue C.C in two days

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